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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

March 4, 1999

Magalie Roman Salas, Esquire
Secretary
Federal Communications Commission
Room 222
445 12th Street, S.W.
Washington, DC 20554

Dear Ms. Salas,

Enclosed is an original and four copies of a Petition for Rule Making to amend the FM table of allotments for a new FM broadcast station for Hanapepe, Hawaii.

Sincerely,



Victor A. Michael Jr.

President

Mountain West Broadcasting
6807 Foxglove Drive
Cheyenne, Wyoming 82009

307-778-9318

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ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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MAR 5 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the matter of:)

Amendment of Section 73.202 (b))

Table of Allotments)

FM Broadcast Stations)

(Hanapepe, Hawaii))

RM-_____

PETITION FOR RULE MAKING

In this petition, Mountain West Broadcasting is hereby requesting to allot channel 232C1 (94.3 Mhz) to Hanapepe, Hawaii as its first local FM allotment.

INTRODUCTION

1. This statement is a petition for rule making to allot FM channel 232C1 (94.3 Mhz) to Hanapepe, Hawaii and add it to the Commission's FM table of allotments, 73.202. The following will show the need for an FM channel and the effects the allotment of Channel 232C1 to Hanapepe will have.

DISCUSSION

2. Hanapepe is located on Kauai island. It is also located within Kauai County, a county of some 51,177 persons. Hanapepe has a population of 1,395 persons in accordance with the U.S. 1990 census.

3. The allotment of channel 232C1 to Hanapepe will provide the first local broadcast facility to the community and/or the surrounding area. The closest FM allotment is located at Kekaha, Hawaii. Kekaha is located 15 kilometers from Hanapepe.

It is obvious that from the above spacing that Hanapepe is presently without local FM service.

4. Hanapepe would greatly benefit from an FM allotment due to the fact there is no AM or FM broadcast facilities within 15 Kilometers of Hanapepe. Because of this, it would have an outlet for local self expression. Health and safety for the community would be increased due to having a local communications outlet for warning the area of emergency conditions caused by severe weather or other health hazards.

5. Channel 232C1 can be allotted to Hanapepe and meet all rules and requirements of the Commission. The instant proposal will not cause a change in the channel number or a deletion of any channel now appearing in the Commission's table of allotments 73.202.

	<u>Present</u>	<u>Proposed</u>
Hanapepe, Hawaii	——	232C1

6. In accordance with 73.207 of the Commission's rules, "Minimum Distance Separations between Stations", all allotments on Channel 232C1 and the pertinent adjacent channels to 232C1 have been studied with the results listed in Figure 1 of this petition. The geographic coordinates used for the spacing

Study (N 20 - 54' - 42", W. 159 - 35' - 12") are that of a site located within the community of Hanapepe. No site restriction will be required to allot channel 232C1 to Hanapepe. Many suitable transmitter sites are available to provide city grade coverage (3.16 mv/m or 70 dbu) to the entire community of Hanapepe. These sites would also provide full minimum spacing requirements to other allotments.

CONCLUSION

7. It has been shown that Hanapepe would benefit from the allotment of channel 232C1. It has also been shown that channel 232C1 can be allotted to Hanapepe and meet all rules regarding spacing from other stations. Considering these two facts, Mountain West Broadcasting hereby requests that the Federal Communications Commission institute a Rule Making proceeding to amend the Table of Allotments to include channel 232C1 for Hanapepe, Hawaii , 73.202.

8. Should channel 232C1 be allotted to Hanapepe, I certify that I will file an application for a Construction Permit to operate an FM station for Hanapepe, Hawaii.

CERTIFICATION

9. I certify that I have prepared or directly supervised the preparation of this entire Petition for Rule Making, and that the facts contained within are true to the best of my knowledge, information and belief, accurate and true.

Dated: March 4, 1999

Respectfully submitted,



Victor A. Michael Jr.
President
Mountain West Broadcasting
6807 Foxglove Drive
Cheyenne, WY 82009

307-778-9318

MAPFM search of channel 232C1 (94.3 MHz), at N. 21 54 42, W. 159 35 12.

Searching Channel 232C1 (94.3 MHz):

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
ALC	Honolulu	HI	230	C1	U	188.7	82.0	110.2°	106.7
KIKIFM	Honolulu	HI	230	C1	L	188.7	82.0	110.2°	106.7
K233AK	Hanalei	HI	233	D	L	35.9	0.0	14.6°	35.9
ALC	Honolulu	HI	234	C1	U	193.8	82.0	110.9°	111.8
KUMUFM	Honolulu	HI	234	C1	L	193.8	82.0	110.9°	111.8
ALC	Honolulu	HI	286	C	U	190.3	41.0	110.4°	149.3
KINEFM	Honolulu	HI	286	C	L	164.1	41.0	110.3°	123.1

FIGURE 1
HANAPEPE, HAWAII
MOUNTAIN WEST BROADCASTING